

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

GORDIAN MEDICAL, INC.,

Plaintiff,

vs.

LANIER M. CANSLER, Secretary of
the North Carolina Department of Health
and Human Services, in his official
capacity; CRAIGAN L. GRAY,
Director, Division of Medical
Assistance, North Carolina Department
of Health and Human Services, in his
official capacity; and TARA R.
LARSON, Chief Clinical Operations
Officer, Division of Medical Assistance,
North Carolina Department of Health
and Human Services, in her official
capacity,

Defendants.

Civil Action No. 5:10-CV-45-F

JOINT STIPULATION OF DISMISSAL
WITH PREJUDICE

Plaintiff Gordian Medical, Inc., (“Plaintiff”), and Defendants Lanier M. Cansler, Craigan L. Gray, and Tara R. Larson (“Defendants”) (Plaintiff and Defendants, collectively, are the “Parties”), by and through their respective undersigned counsel, report to the Court that the Parties have reached a settlement of this action. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the Parties hereby stipulate to the dismissal of this action with prejudice.

Respectfully submitted this, the 23rd day of September, 2011.

<p>NELSON MULLINS RILEY & SCARBOROUGH LLP</p> <p>By: <u>/s/ Stephen D. Martin</u> Wallace C. Hollowell, III N.C. Bar No. 24304 E-Mail Address: chuck.hollowell@nelsonmullins.com Stephen D. Martin N.C. Bar No. 28658 E-Mail Address: steve.martin@nelsonmullins.com 4140 Parklake Avenue / GlenLake One Second Floor Raleigh, NC 27612 Telephone: (919) 877-3800 Facsimile: (919) 877-3799</p> <p><i>Counsel for Plaintiff Gordian Medical, Inc.</i></p>	<p>ROY A. COOPER III Attorney General</p> <p>By: <u>/s/ Richard J. Votta (by permission)</u> Richard J. Votta N.C. Bar No. 11131 E-Mail Address: rvotta@ncdoj.gov North Carolina Department of Justice P.O. Box 629 Raleigh, NC 27602 Telephone: (919) 716-6840 Facsimile: (919) 716-6758</p> <p><i>Counsel for the Defendants</i></p>
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CERTIFICATE OF SERVICE

I, the undersigned attorney of the law offices of Nelson Mullins Riley & Scarborough LLP, counsel for Plaintiff Gordian Medical, Inc., do hereby certify that on September 23, 2011, I electronically filed the foregoing JOINT STIPULATION OF DISMISSAL WITH PREJUDICE with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

- Richard J. Votta (rvotta@ncdoj.gov)

Counsel for Defendants Lanier M. Cansler, Craigan L. Gray, and Tara R. Larson

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: /s/ Stephen D. Martin

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